



E.Y. Berry Library – Learning Center *Course Reserve Policy*

The purpose of this policy is to provide access to resources deemed necessary by the faculty through a course reserve system while making every attempt to adhere to the letter and spirit of U.S. Copyright Law. Black Hills State University E.Y. Berry Library – Learning Center recognizes the rights of intellectual property as well as the need for access to information in the academic setting. All faculty members are responsible for complying with U.S. Copyright Law by determining fair use or obtaining copyright permission from the copyright holder if necessary.

1. The library determines fair use based on the following criteria, established by the provisions of fair use of the United States Copyright Act of 1976.
 - Purpose and character of use.
 - Nature of the copyrighted work.
 - Amount and substantiality of the portion in relation to the work as a whole.
 - The effect of the use on potential market value.
2. The following can be placed on reserve without seeking permission:
 - Original copies of books, DVDs, sound recordings, etc. owned by either the faculty member or the library.
 - Original or photocopied works authored by the faculty member as long as they are unpublished or the copyright is owned by the faculty member.
 - Photocopies of government documents or other works within the public domain. According to the website of the U.S. Copyright Office, “A work of authorship is in the ‘public domain’ if it is no longer under copyright protection or if it failed to meet the requirements for copyright protection.” See <http://www.copyright.gov> for more information.
 - A photocopy of one chapter from a book or conference proceeding.
 - A photocopy of one article from a journal.
 - A photocopy of one poem, short story, or essay from a collected work.

3. If a faculty member wishes to place multiple photocopies of a copyrighted work on reserve, a letter or e-mail from the copyright holder that grants the permission to use multiple photocopies must be supplied.
4. Items owned by another library and obtained either directly or through interlibrary loan will not be placed on reserve.
5. A notice of copyright and complete citation should appear on the first page of any photocopy.
6. If an article appears in one of our many online journals or databases, you are encouraged to provide a link to your students rather than placing the article on reserve.
7. If you have any questions regarding copyright or would like to seek permission, contact the Copyright Clearing Center at <http://www.copyright.com>. The library will not be responsible for charges incurred for receiving permission from the Copyright Clearance Center.
8. Please complete a course reserve form for each class for which items are to be placed on reserve. Items will not be placed on reserve without a signed form.
9. Library staff prefers that all reserve materials be submitted prior to the beginning of the semester, but they will be accepted at the library circulation desk at any time. Please allow at least two business days for processing.
10. Library staff will place a barcode on each reserve item. BARCODES ARE PERMANENT. If a barcode is not desired, please let the Circulation Librarian know so that other arrangements can be made.
11. The library will make every reasonable effort to protect all materials in its possession but cannot be held liable for loss, damage, or replacement costs of personal items placed on reserve.
12. The library reserves the right to keep fines accrued for course reserve items returned late as well as a \$15 processing fee assessed at 60 days.
13. All reserve materials will be removed at the end of the semester. Faculty members will be responsible for arranging for the retrieval of their materials. If an item is to remain on reserve for a longer period of time, please provide updated paperwork. Materials not picked up one month after the semester will be discarded unless alternate arrangements have been made by contacting the Circulation Librarian.
14. The library reserves the right not to place an item on reserve if judges not to be in compliance with U.S. Copyright Law. You may be asked to obtain permission from the copyright holder. Seeking permission and paying for related costs is the responsibility of the faculty member and his or her department.
15. This policy is subject to change without prior notice.

Questions? Contact Nikki Didier (605)642-6834 or nikole.didier@bhsu.edu